IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.20677 of 2008
MOTI SAO @ MOTI SAH
Versus
STATE OF BIHAR
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3 23.7.2008 Heard learned counsel for the petitioner and the State.

Petitioner is an accused in a case registered under section 302/306 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is the husband of the deceased and at the time of occurrence he was not present at his home and when he got information about the burn injury of his wife he came and took his wife for treatment to Govt. Hospital where she died. He further submits that the petitioner himself lodged the first information report. However, charge-sheet has been submitted against him under section 306 of the Indian Penal Code.

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Learned counsel for the State opposes the prayer for bail and submitted that the material collected during the course of investigation clearly indicate towards the complicity of the petitioner and thus he was made accused and has been charge sheeted. He further submits that the petitioner was himself responsible for death of the deceased in as much as petitioner after coming from Delhi started torturing and assaulting his wife in drunken condition and, thus, was responsible for abetment of suicide.

In the facts and circumstances of the case I am not inclined to

grant bail to the petitioner and, thus, the prayer for bails is rejected at this stage.

**(Dr. Ravi Ranjan, J)**

**Rahman/**

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